

Hingtgen, Robert J

From: Donna Tisdale <tisdale.donna@gmail.com>
Sent: Sunday, March 02, 2014 12:35 PM
To: Hingtgen, Robert J; Fogg, Mindy; Gungle, Ashley; Jacob, Dianne; Wilson, Adam; Kohatsu, Sachiko; Sprecco, Edward; Gutierrez, Gabriel; Cox, Greg
Subject: Soitec Solar fails to disclose truth
Attachments: Berkman Soitec CEQA-NOW to SBC 2-28-14.pdf

FOR SOITEC SOLAR DPEIR RECORD

Hello Robert,

If you have not already done so, please include the following documents into the record:

1. The March 1st East County Magazine article on Soitec Solar and their controversial Newberry Solar 1 site . The article is pasted below and posted online at: <http://eastcountymagazine.org/print/15060>
2. The attached letter from the Newberry Springs group CEQA-NOW, signed by Robert Berkman and dated 2-28-14. It raises non-compliance issues with Soitec's controversial 1.5 MW project in their neighborhood, which triggered the temporary San Bernardino solar moratorium.

Thank you,

Donna Tisdale
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SOITEC FAILS TO DISCLOSE TRUTH ABOUT SOLAR PROJECT IMPACTS, HIRES EX- SAN DIEGO COUNTY PLANNING OFFICIAL WHO OVERSAW SOITEC PROJECTS



Why doesn't San Diego County end revolving door/conflict of interest situation?

Photo: Soitec's Newberry Springs project, which promised minimal environmental impacts, graded all vegetation on the site.

By Miriam Raftery

March 1, 2014 (San Diego's East County)—Developers frequently put “spin” on project descriptions to emphasize benefits rather than negative impacts. But certain statements by Soitec representatives regarding its proposed solar projects in Boulevard and a recent project in the desert fall into the “Pinnochio.” In fact Soitec representatives misrepresented glare issues and the amount of land that is disturbed by their projects.

During a Soitec community meeting at the Manzanita Diner last month, ECM's editor asked Soitec media and communications advisor Karen Hutchens specifically about a moratorium on solar projects approved by San Bernadino County Supervisors amid concerns about glare in Newberry Springs, where Soitec built a project very similar to its proposed Boulevard sites. Hutchens responded, “That had nothing to do with our project. The moratorium was passed before our project was even built.”

But Robert Berkman, head of a citizens group in Newberry Springs called CEQA-NOW, told ECM that statement was a bald-faced lie. “The moratorium came out because of the Soitec project—after it was built,” he said, adding that citizens invited Supervisors to visit the site. Supervisors said, “‘Good grief, what has happened here?’” Berkman stated. “The moratorium occurred because we were able to bring them out and say ‘This is an example of solar done wrong.’”

That's not the only whopper Soitec has told.



Deceptions on grading sites, protecting plants and wildlife

At Boulevard's planning group meeting and in other discussions with the public and press, Soitec has repeatedly promised it would make efforts to minimize environmental impacts and has stated that it would not scrape bare vast tracts for its projects. The company [brochure](#) makes similar claims including "no grading of water required" and "minimal impact on vegetation and wildlife."

But the Newberry Springs project, which has the same sized Soitec solar modules proposed for Boulevard, proves otherwise, as numerous photos sent by CEQA-NOW shows. (photos, top left and right, for example).

"These claims are demonstrated as false when based on their estimated grading and water use and other significant impacts for Rugged Solar, Tierra Del Sol Solar, LanWest and LanEast, removal of agriculture preserve, and through other information included in the DPEIR, and as demonstrated by Soitec's other projects," Boulevard Planning Group Chair Donna Tisdale says of Soitec's claims regarding no grading and minimal

environmental impacts at its Boulevard sites. "The false claims, regarding no grading and minimal impact on vegetation and wildlife, are also contradicted by Soitec's own public relations Fact Sheets, and other documents, with evidence of clear grading, removal of virtually all vegetation, and disturbance of natural soil / binders at their following existing sites," she added.

1. **Soitec's 1.37MW Questa New Mexico facility Fact Sheet** (173 Concentrix 18' x 21' CPV dual trackers): claims of zero water gallons per year for power production
http://www.soitec.com/pdf/sites/Soitec_Questa_factsheet_en.pdf
2. **Soitec's 1.68 MW Newberry Solar 1 site in Newberry Springs, CA (60 CX-S530 CPV systems) Newberry Springs ID Card:** http://www.soitec.com/pdf/sites/Soitec_Newberry_ID_card.pdf
3. **Soitec's Newberry Springs PR video** (see video starting at 2:31 minutes for evidence of clear grading at Newberry site and at 3:30 where the video fades out just as the main glare from the CPV panels would show up): <http://www.soitec.com/videos/soitec-newberry-springs/>
4. **Soitec's Hazelemer 500kV site Durban South Africa Fact Sheet** (32 CX-S42 systems):
http://www.soitec.com/pdf/sites/Soitec_Hazelmere_factsheet_en.pdf
5. **Soitec's Wadi El Natrun Egypt 40kW Fact Sheet** (5 Soitec CX-P6 systems)
http://www.soitec.com/pdf/sites/Soitec_Wadi_El_Natrun_factsheet_en.pdf
6. **Soitec's Touwsrivier Western Cape South Africa 82kW (demonstration project) Fact Sheet (Soitec CX-P6):** http://www.soitec.com/pdf/sites/Soitec_Touwsrivier_factsheet_en.pdf
7. **Soitec's 680kW Puertollano, Castilla-La Mancha, Spain CPV plant Fact Sheet (Soitec CX-P6):**
http://www.soitec.com/pdf/sites/Soitec_Puertollano_factsheet_en.pdf
8. **Soitec's 630kW Rains, Var , France Fact Sheet** (80 32m2 CPV Systems):
http://www.soitec.com/pdf/sites/Soitec_Rians_factsheet_en.pdf

These and other projects are documented in the Soitec CPV Installation document dated February 2014, where all but 2 of the 12 projects shown are clear graded:
http://www.soitec.com/pdf/Soitec_CPV_Installations_V10.0.pdf

Newberry Springs residences complain of major changes not disclosed, mitigation not enforced

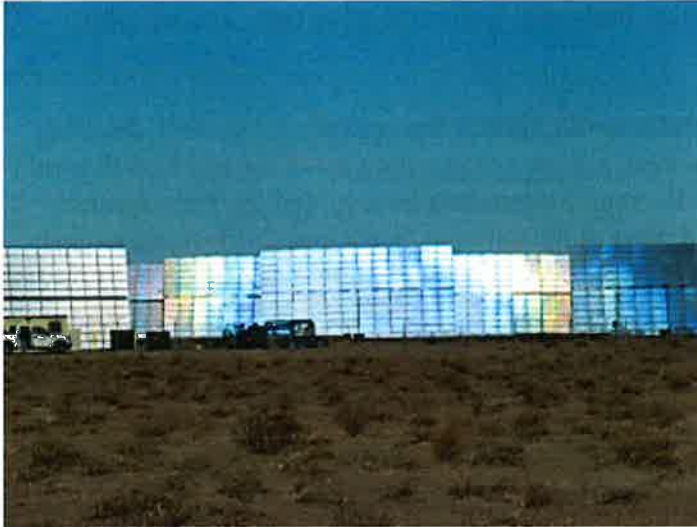
Soitec pulled a bait-and-switch tactic in Newberry Springs after acquiring the project site from another company that had proposed panels only about seven feet tall. The company assured community members that environmental impacts would be minimal. Residents report they were shocked to see the entire site bladed, every piece of vegetation removed along with the crust of desert soil, and modules 27 feet high erected which blocked views of the Newbery Mountains Wilderness area.

Those facts are detailed in a [letter](#) sent February 28, 2014 by CEAQ-NOW to Tom Hudson, director of San Bernadino County's Land Use Services Department. The letter further alleges that many if not all proposed mitigations "have somehow disappeared" including a living fence to screen visual impacts, soil stabilization to reduce blowing sand, and road improvements.

Shockingly, the letter further asserts that Soitec's permitting manager, Patrick Brown, stated that the company had not retained records including signed applications for any amended conditions of approval, nor signed approvals for amended conditions of approval – such as the massive change in height.

Soitec's plans for a phase II of its project have been stalled, though the moratorium on new solar projects was later lifted.

County planner who reviewed Soitec projects here takes job with Soitec



If the name Patrick Brown sounds familiar to local San Diego County residents, it's because Brown was the San Diego County Department of Planning and Development's Project Manager assigned to review Soitec's solar applications pending locally before switching jobs to work for Soitec – a move Berkman observes wryly was “not a confidence builder from our point.”

This is far from the first time that San Diego County has faced criticism over its revolving door policies. Other official bodies such as Congress impose moratoriums or a year or more before a county official can go to work for a company they oversaw, or vice versa. Back in 2006, this writer exposed in a story published at RawStory that a former Blackwater attorney, Lori Spar, went to work soon after leaving the firm to become an environmental planner with the County overseeing the Blackwater paramilitary training camp project proposed in Potrero. That report [won](#) a prize from San Diego Press Club. The County confirmed that it has no time limits to prevent such revolving door situations, creating fertile grounds for conflicts of interests.

Concerns over Soitec consultants' water estimates



This is also not the first time that serious concerns have been raised over Soitec estimates of its projects' impacts. As ECM has previously reported, the company's environmental consulting firm, Dudek, has a troubled track record of severely underestimating water usage at various projects, notably the Eco-Substation in Boulevard that used three times more water than Dudek estimated, as ECM has [reported](#).

Local planners have exposed that Dudek's estimated water use in the Soitec solar draft Environmental Impact Report for its four proposed Boulevard industrial solar projects (including site shown in photo, right) omitted concrete making operations and rock-crushing planned onsite, both very water intensive uses, among other items omitted.

An SDSU hydrologist has said even the levels Soitec estimates could destroy the region's ecosystem, draining groundwater resources beyond the level that can be replenished, a joint investigation by ECM and Eco Report revealed. Cleveland National Forest Foundation and Anza Borrego Foundation have joined the fight against Soitec's projects, citing irreversible harm the projects could pose to the national forest and California's largest state park.

Who is Soitec?

Soitec opened a solar manufacturing facility in San Diego in December 2012 after receiving a \$25 million grant from the U. S. Department of Energy to develop its manufacturing base here. The French-based company known for developing its flagship material, SOI (Silicon-on-Insulator.) Jean-Michel Lamure and André-Jacques Auberton-Hervé founded the company in 1992, collaborating on developing and commercializing their Smart Cut™ “atomic scalpel” technology. Soitec focuses on five industries: computing, telecommunications, automotive electronics, lighting, and solar energy.

Initially, Soitec's main focus was in the electronics industry. However, several years ago, Soitec launched into the solar energy industry. Currently, the company owns solar and wind energy facilities in France, the United States, Germany, Italy, Asia, China, Korea, Japan, Singapore, and Taiwan.

In 2011, Soitec Solar Development, LLC, received the approval of five of its power purchase agreements with San Diego Gas and Electric (SDG&E) from the California Public Utilities Commission (CPUC). These five projects represent a combined capacity of 155 megawatts (MW) of solar energy with electricity generated at solar power plant sites in San Diego County.

Lessons from a troubled track record

While Supervisors have been supportive of Soitec efforts to create manufacturing jobs locally, the company's efforts to deceive planners, public officials and residents about the real impacts of its first proposed projects in San Diego's East County—and in Newberry Springs-- should give decision makers pause to examine the veracity of all claims made by Soitec.

Voters should also question why County officials have not yet seen fit to end the County's revolving door policy that allows planning officials to profit off decisions by accepting lucrative offers from the very developers they are supposed to monitor to protect the public's interests and conversely, allow corporate proponents to take jobs overseeing the very projects they were formerly advocating for with the County. Such cozy arrangements enable potential corruption, though it's not clear what incentives if any Soitec may have offered Brown to push forward its projects while working with the County before he became a paid company advocate.

Public comment period ends March 3 for Soitec proposed solar projects in Boulevard

Public comments on the project are being accepted through March 3rd. For details on how to submit comments, see <http://www.eastcountymagazine.org/node/14938>.